Former CIA-FBI Liaison Man Sees Operational 'Gray Areas'

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The former liaison man between the Central Intelligence Agency and the Federal Bureau of Investigation said yesterday that the statutory restriction against CIA domestic activity is impossible to follow.

Sam Papich, who was the FBI's liaison man with the CIA for 18 years until he retired in 1970, cited what he called "gray areas" where the CIA has crossed into domestic operations for what he said were legitimate reasons.

Papich, who said he dealt with these crossovers on a daily basis, blamed confusion about the CIA's role on what he called a statute that "goes from the vague to the ridiculous."

A former CIA attorney acknowledged yesterday that the 1947 statute establishing the CIA has "gray areas," but he said many examples of CIA domestic activity cited over the years have been both legal and proper.

For example, he said, a CIA training program for local police departments was widely thought to have been aimed at antiwar activists and therefore represented an incursion into the domestic field.

In fact, said the former CIA official, who said he approved the program at the time, its purpose was to share with local police several devices and methods the CIA had developed in its own work.

One device, he said, aids in the apprehension of murderers by detecting whether a suspect has held a piece of metal in the past 24 hours.

Rep. Lucien N. Nedzi (D-Mich.), who heads a congressional committee with oversight powers over the CIA, suggested when he was informed of the program that it should have been carried out by the FBI, the former CIA attorney said. But he said the program did not violate the CIA charter.

The charter says the CIA shall have "no police, subpoena, law enforcement powers or internal security functions." But it also says the CIA director is "responsible for protecting intelligence sources and methods from unauthorized disclosure." And it charges the agency with performing "such other functions and duties related to intelligence affecting the national security as the National Security Agency may from time to time direct."

Papich said areas where the CIA became involved in domestic matters included dealing with Americans approached by Soviet agents, Soviet visitors and spies in the United States, and Americans who work for the CIA or apply for jobs there.

In these and other areas, Papich said, the CIA and FBI functions appeared to overlap, and informal guidelines had been developed for handling the situations.

In a typical year, Papich said, some 2,000 Americans are approached by Soviet agents either in this country or overseas in an attempt to convert them into spies

"If you get a report that Mollie Brown while she was in Moscow was approached, what do you do? Nine times out of 10 she's a good girl, but maybe naive, and nothing happened." But background checks will be made on her, and a file could be opened at CIA headquarters because the CIA originally discovered that she had been contacted, Papich said.

"Hundreds of defectors come to this country from Soviet countries," said Papich, who heads a New Mexico organized crime commission. "There was a procedure for processing them. Who is going to be responsible for settling them? Many are neurotic, misfits — they have to be wet-nursed. Is he for real? The CIA had to stay on top of them. If they had problems, they had to get them straightened out."

In addition, Papich said, the CIA cultivated foreigners living in this country to obtain information on their homelands.

"The CIA would handle Cuban nationals here to get information on Soviet missiles in Cuba," he said. Such work might also be handled by the FBI with CIA assistance.

"Maybe he [the FBI agent handling a case] has never been abroad. It would only be logical to bring in a CIA expert," he said.

The CIA handled its own security, Papich said, and this is another area where the agency becomes involved in checking the backgrounds of American citizens.

"They had their own offices of security," he said. "What they did to protect them we never got involved in, except when it appeared an employee had violated the law." In policing its own employees, Papich said, the CIA would require wiretaps if it had found a possible Soviet spy within the agency.

Often, Papich said, delays occurred when authority for a particular operation was being transferred from the CIA to the FBI.

"A Soviet spy in France out of the blue travels to the U.S.," he said "You don't just pick up the phone and tell Hoover. It might take a week to three months. The FBI people have to become acclimated [to the subject]. Let's say the CIA knows a double agent who is a source. You don't automatically turn him over to the FBI. He might not want to deal with the FBI. You might get them [the CIA] operating for six months in the U.S."

Papich said the CIA is accused of interfering in U.S. domestic activities when it seeks help for overseas work from universities. "A fellow goes to XYZ university and contacts a professor to write an article that will be planted overseas," he said "It never runs smoothly. We [the United States] weren't cut out for it."

In addition, he said, the CIA often helped the FBI to keep an eye on Soviets visiting the United States or employed here.

"They always had one or two KGB [Soviet intelligence] agents in the group," he said. "The CIA would have an interest. They had the benefit of experience overseas."

While allowing that some abuses might have occurred, Papich said, "My feeling is some of the surveillances were misunderstood." He added, "We need time out to assess this thing in a cool, rational way to determine if the statute should be changed in light of what we want from an intelligence agency."